

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

## In re Application of:

Vogels et al.

Serial No.: 09/332,803

Filed: June 14, 1999

**For:** PACKAGING SYSTEMS FOR HUMAN RECOMBINANT ADENOVIRUS TO BE USED IN GENE THERAPY

**Confirmation No.:** 

Examiner: D. Guzo, Ph.D.

Group Art Unit: 1636

**Attorney Docket No.: 2578-4075US** 

## CERTIFICATE OF MAILING

I hereby certify that this correspondence along with any attachments referred to or identified as being attached or enclosed is being deposited with the United States Postal Service as First Class Mail on the date of deposit shown below with sufficient postage and in an envelope addressed to the Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

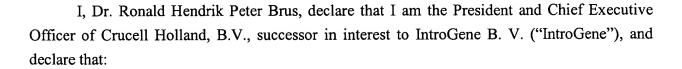
Date Signature

Name (Type/Print)

## **Declaration**

Commissioner for Patents Washington, D.C. 20231

Sir:



- 1. I am informed and believe that IntroGene is the named assignee of U.S. patent application serial no. 09/332,803.
- 2. I am informed and believe that IntroGene made a deposit of a cell line of PGK-E1-Retinoblasts, known as PER.C6, under number ECACC 96022940 under the provisions of the

Serial No. 09/332,803

Budapest Treaty with the Centre for Applied Microbiology and Research Authority (European

Collection of Animal Cell Cultures), Porton Down, Salisbury, Wiltshire SP4, OJG, United

Kingdom, an International Depository Authority, in accordance with the Budapest Treaty.

3. I am informed and believe that the cell line known as PER.C6, ECACC deposit number

96022940, is the same biological material described in U.S. patent application serial no.

09/332,803.

4. On behalf of IntroGene, I state that all restrictions upon public access to the deposit (except

those permitted by 37 C.F.R. § 1.808(b)) will be irrevocably removed upon the grant of a U.S.

patent on this U.S. patent application, and the deposit will be replaced if viable samples cannot

be dispensed by the depository.

5. I hereby declare that all statements made herein of my own knowledge are true and that all

statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are

punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the U.S. Code

and that such willful false statements may jeopardize the validity of the patent.

Date:	
	Dr. Ronald Hendrik Peter Brus